

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
(Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

033262-003

*As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR THE STORAGE AND RETRIEVAL OF WEB-BASED EDUCATIONAL MATERIALS

the specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as United States application

Number _____

on _____

and was amended

on _____ (if applicable).

☐ was filed as PCT international application

Number _____

on _____

and was amended

on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(e) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119:

| COUNTRY (if PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. § 119 |
|-------------------------------------|--------------------|--------------------------------------|---|
| | | | _ Yes _ No |
| | | | _ Yes _ No |
| | | | _ Yes _ No |
| | | | _ Yes _ No |
| | | | _ Yes _ No |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

09/073,871

(Application Number)

May 7, 1998

(Filing Date)

(Application Number)

(Filing Date)

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (CONT'D)
(includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

033262-003

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:

| U.S. APPLICATIONS | | STATUS (check one) | | |
|---------------------------------------|------------------|--|---------|-----------|
| U.S. APPLICATION NUMBER | U.S. FILING DATE | PATENTED | PENDING | ABANDONED |
| 09/073,871 | May 7, 1998 | | X | |
| | | | | |
| | | | | |
| PCT APPLICATIONS DESIGNATING THE U.S. | | | | |
| PCT APPLICATION NO. | PCT FILING DATE | U.S. APPLICATION NUMBERS ASSIGNED (if any) | | |
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| | | | | |

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

| | | | | | |
|---------------------------|--------|-------------------------|--------|------------------------|--------|
| William L. Mathis | 17,337 | Eric H. Weisblatt | 30,505 | Bruce T. Wieder | 33,815 |
| Robert S. Swecker | 19,885 | James W. Peterson | 26,057 | Todd R. Walters | 34,040 |
| Platon N. Mandros | 22,124 | Teresa Stanek Rea | 30,427 | Ronni S. Jillions | 31,979 |
| Benton S. Duffett, Jr. | 22,030 | Robert E. Krebs | 25,885 | Harold R. Brown III | 36,341 |
| Norman H. Stepno | 22,716 | William C. Rowland | 30,888 | Allen R. Baum | 36,086 |
| Ronald L. Grudziecki | 24,970 | T. Gene Dillahunt | 25,423 | Brian P. O'Shaughnessy | 32,747 |
| Frederick G. Michaud, Jr. | 26,003 | Patrick C. Keane | 32,858 | Kenneth B. Leffler | 36,075 |
| Alan E. Kopecki | 25,813 | B. Jefferson Boggs, Jr. | 32,344 | Fred W. Hathaway | 32,236 |
| Regis E. Slutter | 26,999 | William H. Benz | 25,952 | Wendi L. Weinstein | 34,456 |
| Samuel C. Miller, III | 27,360 | Peter K. Skiff | 31,917 | Mary Ann Dillahunt | 34,576 |
| Robert G. Mukai | 28,531 | Richard J. McGrath | 29,195 | | |
| George A. Hovanec, Jr. | 28,223 | Matthew L. Schneider | 32,814 | | |
| James A. LaBarre | 28,632 | Michael G. Savage | 32,596 | | |
| E. Joseph Gess | 28,510 | Gerald F. Swiss | 30,113 | | |
| R. Danny Huntington | 27,903 | Charles F. Wieland III | 33,096 | | |



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and: _____

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Applicant or Patentee: Jonathan R. Merrill

Application or Patent No.: _____

Filed or Issued: _____

For: METHOD AND SYSTEM FOR THE STORAGE AND RETRIEVAL OF WEB-BASED
EDUCATIONAL MATERIALS.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the
concern identified below:

NAME OF CONCERN Astute Technologies, LLC

ADDRESS OF CONCERN 9320 Cornwell Farm Road, Great Falls, VA 22066

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. part 121 for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled METHOD AND SYSTEM FOR THE STORAGE AND RETRIEVAL OF WEB-BASED EDUCATIONAL MATERIALS by inventor(s) Jonathan R. MERRIL

- ☒ the specification filed herewith
☐ Application No. _____, filed _____
☐ Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Jonathan R. Merrill

TITLE OF PERSON OTHER THAN OWNER _____

ADDRESS OF PERSON SIGNING 9320 Cornwell Farm Drive, Great Falls, VA 22066

SIGNATURE  DATE 09-17-01